

GOA STATE INFORMATION COMMISSION AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 291/2008

Shri Rajesh V. Kamat,
R/o H. No. E-74, Near Sati Temple,
Bhatlem, Panaji - Goa.

..... Appellant.

V/s.

- 1) Public Information Officer,
North Goa Planning & Development Authority,
Mala, Panaji - Goa.
- 2) First Appellate Authority,
The Chief Town Planner,
Town & Country Planning Department,
Dempo Tower, Patto, Panaji - Goa.

..... Respondents.

Appellant in person.

Respondents absent.

ORDER

On the basis of copies of the notings stating that the Authority has decided to acquire land for widening ODP road at Bhatulem and construction of internal roads in order to give access to the landlocked houses in the vicinity, the Appellant sought the following information: -

“How it known to the North Goa Planning & Development Authority that the houses in the area where Land acquisition is proposed for construction of internal roads at Bhatulem, Panaji is land locked.”

- (2) Certified copy of the letter No. NGPDA/LA/Road/Batulem/112/421/05 addressed to the Mamlatdar of Tiswadi Taluka, Panaji.”

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2. By communication dated 02/12/2008, the Respondent No. 1 provided the following information: -

- "1) The decision about providing the access was on the basis of decision taken in the Authority meeting held on 17.10.2005.
- 2) Copy of the letter bearing No. NGPDA/LA/Road/Bhatulem/112/ 421/05 dt. 21.11.05 is enclosed."

Not content with this reply, the Appellant preferred the First Appeal on 03/12/2008 and the First Appellate Authority by Order dated 18/12/2008 dismissed the Appeal. On 29/12/2008, the Respondent No. 1 informed the Appellant that the in the minutes of the meeting held on 17/10/2005, it is not specifically mentioned that the construction of internal roads had to be done to give access to the landlocked houses in the vicinity. In the Second Appeal preferred, the Appellant seeks only penalty and disciplinary proceedings against the Respondent No. 1 on the ground that the Respondent No. 1 provided false, incomplete and misleading information.

3. The Appellant initially sought information which the Respondent No. 1 provided by giving copy of the noting of page N/1 wherein it is stated that the Authority has decided to acquire the land for construction of internal roads in order to give access to the land locked houses in the vicinity. The Respondent No. 1 replied by communication dated 02/12/2008 that the decision about the providing access was on the basis of decision taken in the minutes of the meeting held on 17/10/2005. On perusing this minutes of the meeting held on 17/10/2005 there is no

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reference of such statement that the construction of the internal roads is to give access to the landlocked houses. In the said minutes of the meeting the reference is only for widening of ODP road at Bhatlem and nothing mentioned of internal roads construction in order to give access to landlocked houses.

4. Since prima facie it indicates that the information provided to the Appellant is not correct, the proper course would be to issue a show cause notice to the Respondent No. 1 and to file the reply on 15/03/2010.

Pronounced on this 11th day of February, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner

